

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EARL HAYES, (07-A-4800) :
 :
 Plaintiff, : 07 Civ. 7667 (KMK) (MDF)
 :
 -against- : WRIT OF HABEAS CORPUS
 : AD TESTIFICANDUM
 COUNTY of SULLIVAN, et al :
 :
 Defendants. :
-----X

THE PRESIDENT OF THE UNITED STATES

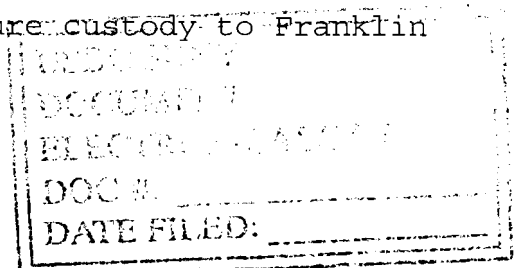
TO: Darwin La Claire, Superintendent of Franklin
Correctional Facility, P.O. Box 10, Malone, New York
12953, or His Assistant; and

THE DEPARTMENT OF CORRECTIONAL SERVICES OF THE STATE OF
NEW YORK, Building 2, 1220 Washington Avenue, Albany,
New York 12226-2050; and

THE UNITED STATES MARSHAL, United States Courthouse,
White Plains, New York, or His Assistant.

GREETINGS:

We command that Darwin LaClaire shall have the body of
Earl Hayes (07-A-4800), presently detained in Franklin
Correctional Facility in the custody of the Department of
Correctional Services, brought under safe and secure conduct with
all his legal documents, to the United States Courthouse, 300
Quarropas Street, White Plains, New York on Thursday, May 29,
2008 at 9:00 a.m.; and that the UNITED STATES MARSHAL shall
provide such suitable quarters and provide for the safekeeping,
care and subsistence of EARL HAYES as is necessary until the
conclusion of a hearing in this matter; and, thereafter, upon
conclusion of this hearing by the Court, that DARWIN LaCLAIRE
shall return EARL HAYES under safe and secure custody to Franklin



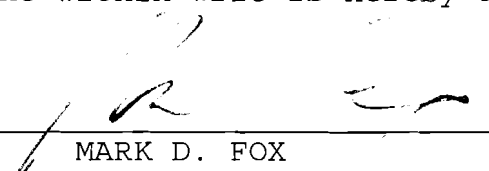
Correctional Facility, Malone, New York; and that the DEPARTMENT OF CORRECTIONAL SERVICES OF THE STATE OF NEW YORK and THE UNITED STATES MARSHAL shall each bear their respective costs of implementation of the terms of this writ. It is further

ORDERED, that the UNITED STATES MARSHAL shall provide all necessary security for the custody of EARL HAYES so long as he is in the temporary custody of the Court.

WITNESS the Honorable Kimba M. Wood , Chief Judge of the United States District Court for the Southern District of New York, at the United States Courthouse, 300 Quarropas Street, White Plains, New York, this 5th day of May, 2008.

Clerk, United States District Court
Southern District of New York

The within writ is hereby allowed.



MARK D. FOX
United States Magistrate Judge
Southern District of New York

The Clerk of the Court shall arrange for service of the instant writ.

Copies mailed / handed / faxed to counsel 515108